

LAWS AND REGULATIONS RELATING TO

Registration as a Professional Geologist



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The statutes and regulations provided in this booklet are an *unofficial* version of the Kentucky Revised Statutes and Kentucky Administrative Regulations and are intended for informational purposes only. The official or certified versions of the Kentucky Revised Statutes and Kentucky Administrative Regulations should be consulted for all matters requiring reliance on the statutory text.

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Kentucky Revised Statutes

322A.010 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

1) "Geology" means the science which treats the earth as a whole; the investigation, analysis, classification, and location of the rocks and other materials which compose the earth's crust; the study of minerals, gases, and liquids composing and contained within the earth's crust; and the study of geologic materials and processes;

(2) "Geologist" means a person who is qualified by reason of his knowledge of the principles of geology, acquired by professional education and practical experience, to engage in the public practice of geology;

(3) "Public practice of geology" means the performance of service to the public in connection with the geological description, location, or evaluation of earth materials, liquids, and gases and the natural processes acting upon them. The "public practice of geology" does not include:

(a) The practice of engineering or land surveying as defined in KRS Chapter 322; or

(b) Design recommendations, design, or plans related to the practice of engineering or land surveying as defined in KRS Chapter 322.

(4) "Registered geologist" means a person who is registered as a geologist under the provisions of this chapter;

(5) "Qualified geologist" means a person who possesses all the qualifications specified in KRS 322A.040 for registration except that he is not now registered in Kentucky; and

(6) "Board" means the Kentucky Board of Registration for Professional Geologists.

(7) "Geologist-in-training" means an individual who has met the academic qualifications established by the board, who has successfully passed a written examination approved by the board demonstrating knowledge of the fundamentals of geology, and who has been enrolled by the board as a geologist-in-training.

322A.020 Board of Registration for Professional Geologists -- Membership -- Removal and filling of vacancies -- Officers -- Compensation of members.

(1) There is created and established the Board of Registration for Professional Geologists, which shall administer the provisions of this chapter. All board members shall be residents of Kentucky and be appointed by the Governor. The initial board shall consist of four (4) qualified geologists, one (1) of whom shall be the state geologist, and one (1) member representing the public at large. With the exception of the member representing the public at large, all subsequent board members shall be registered geologists. The initial terms of appointment, which shall be made within ninety (90) days of July 14, 1992, shall consist of one (1) member being appointed for a term of one (1) year, one (1) member being appointed for a term of two (2) years, one (1) member being appointed for a term of three (3) years, and one (1) member being appointed for a term of four (4) years. The fifth member shall always be the state geologist. Thereafter, the term of the members of the board shall always be for four (4) years and until their successors are appointed and qualified.

(2) Board members may succeed themselves. The Governor may remove any member from the board for misconduct, incompetence, neglect of duty, or for any good and sufficient cause, in the manner prescribed by law. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the Governor.

(3) Three (3) members of the board shall constitute a quorum.

(4) There shall be no liability on the part of and no cause of action of any nature shall arise against the board, or its agents, for any action taken in the performance of the board's powers and duties under this chapter.

(5) The board shall elect from its members a chair and secretary each year.

(6) At least thirty (30) days prior to the appointment date each year, the Governor shall receive a list of not more than three (3) nominations for board members from a joint committee of the Geological Society of Kentucky and the Kentucky Section of the American Institute of Professional Geologists. The appointed members on the board shall be selected from the list submitted to the Governor by the joint committee.

(7) While discharging duties associated with the board, including meetings of the board and its committees and necessary travel, each member shall receive compensation as established by administrative regulation of the board promulgated in accordance with KRS Chapter 13A. Members of the board shall be reimbursed for costs for actual travel, and for incidental, clerical and all other actual and necessary expenses incurred in the discharge of official duties associated with the board.

322A.030 Meetings -- Duties and powers -- Roster of registered professional geologists -- Code of professional conduct.

(1) The board shall meet at least once each calendar year and at other times deemed necessary by the chair or a quorum of the board upon being given ten (10) days' notice.

(2) A roster showing the names and places of business of all registered professional geologists shall be published by the secretary of the board each year. Copies of this roster shall be made available to each person registered, placed on file with the secretary of the board, and furnished to the public upon request.

(3) The board shall pass upon the qualifications of applicants for registration.

(4) The board shall require from applicants for registration evidence of their qualifications and shall judge each applicant on evidence of the applicant's professional competency and integrity in accordance with administrative regulations promulgated by the board.

(5) The board may promulgate administrative regulations consistent with the provisions of this chapter appropriate and necessary to the conduct of its responsibilities and duties.

(6) The board shall promulgate by administrative regulation a code of professional conduct a copy of which shall be distributed to every registered geologist. Mailing of a copy of this code to persons listed in the roster maintained under subsection (2) of this section shall constitute due notice to all registrants. The board may revise and amend the code of ethics from time to time, subject to the consent of the majority of the registrants, and shall notify each registrant in writing of any revisions or amendments.

(7) The board may take appropriate disciplinary action as provided for in KRS 322A.100, but only after written notice has been given the person concerned and the person is afforded an opportunity for a hearing to be conducted in accordance with KRS Chapter 13B.

(8) Any person or organization may prefer charges of fraud, deceit, gross negligence, or misconduct against any registrant. The charges shall be in writing, shall be sworn to by the person or officer of the organization making them, and shall then be filed with the board.

(9) Any person who feels aggrieved by any final order of the board may appeal to the Franklin Circuit Court in accordance with KRS Chapter 13B.

(10) The Attorney General or any assistants designated by him shall act as legal advisers to the board and render legal assistance as the board may from time to time require. The board may employ private counsel at its discretion. The cost of private counsel shall be paid exclusively from funds of the board.

(11) The board shall establish and maintain necessary offices within this Commonwealth, employ personnel as necessary, and prescribe their duties and compensation.

322A.040 Requirements for registration.

(1) In order to qualify for registration, an applicant shall meet all of the following requirements:

(a) Successful completion of a minimum of thirty (30) semester hours or forty-five

(45) quarter hours of course work in geology, culminating in a baccalaureate or advanced degree in geology, geophysics, geochemistry, or geological/geotechnical engineering from an accredited college or university. At the discretion of the board, courses dealing with applied geological science that are given under the auspices of an academic department other than geology may be considered toward the fulfillment of this requirement. During the twelve (12) month period beginning one hundred and eighty (180) days after July 14, 1992, the board may waive the education requirements for persons who derive their livelihood from the public practice of geology who do not meet the education requirements, but who can demonstrate to the satisfaction of the board their competency and who have at least eight (8) years of experience in geology.

(b) Five (5) years of experience in professional geologic work. Professional geologic work may include the instruction of geology at the college or university level, the geological research of persons at the college or university level, geological work performed while in the employment of the United States, state, or local governments. In counting years of experience, the board may give one (1) year of credit each for a master's degree or doctoral degree in geology, geophysics, geochemistry or geological/geotechnical engineering.

(c) A passing score on an examination required by the board that has been designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

(d) Enrollment by the board as a geologist-in-training.

(2) During the twelve (12) month period beginning one hundred and eighty (180) days after July 14, 1992, the board shall waive the examination requirement for applicants qualified by education and experience as provided in subsection (1) of this section.

(3) Credit toward the experience and education requirements shall be subject to evaluation and approval by the board.

(4) Documentation of competency and integrity may be required by the board.

(5) Upon application, registration may be provided to those registered or certified as geologists in another state having standards at least equal to those provided in this section. During a twelve (12) month period beginning one hundred and eighty (180) days after July 14, 1992, registration may be provided to those holding a valid certification from the American Institute of Professional Geologists or the Division of Professional Affairs of the American Association of Petroleum Geologists.

322A.045 Qualifications for geologist-in-training.

The applicant for certification as a geologist-in-training shall demonstrate the following as evidence that he or she is qualified:

(1) Successful completion of a minimum of thirty (30) semester hours or forty-five (45) quarter hours of course work in geology culminating in a baccalaureate or advanced degree in geology, geophysics, geochemistry, or geological or geotechnical engineering from an accredited college or university. At the discretion of the board, courses dealing with applied geological science given under the auspices of an academic department other than geology may be considered toward fulfillment of this requirement.

(2) A passing score on the board's examination in the fundamentals of geology. The board may allow students enrolled in the final year of an approved undergraduate program to take this examination. Upon passing the examination, the applicant may apply to the board to be enrolled and receive a certificate as a geologist-in-training.

322A.050 Application fees -- Disposition -- Surety bond.

An applicant for registration shall pay a nonrefundable fee established by regulation of the board. If the board declines to issue registration to any applicant, the initial fee paid by the applicant shall be retained as an application fee. All fees paid to and collected by the board under the provisions of this section and KRS 322A.070 shall be deposited in a revolving trust and

agency account under the jurisdiction of the board. The officers or employees of the board who shall be designated to collect and disburse funds represented by these fees shall be required to execute a bond, with corporate surety, in an amount to be determined by the board.

322A.060 Renewal of certificates -- Suspension and revocation for nonpayment of renewal fees.

(1) All certificates of registration shall expire annually at a time and date designated by the board. The board shall notify every person registered under this chapter of the date of expiration of his certificate and the amount of the renewal fee which shall be fixed by the board.

(2) When the renewal fee is not paid within ninety (90) days after the expiration date, that individual's certificate of registration shall be suspended and the name shall be deleted from the roster of the board until the renewal fee is paid.

(3) When the renewal fee is not paid for two (2) annual periods, that individual's certificate of registration shall be revoked and shall not be renewed. In the event that an individual whose registration has been revoked desires to be again registered, an application shall be submitted to the board and the individual shall be considered as a new applicant.

322A.070 Certificates of registration -- Use of seal or stamp by registrant.

(1) The board shall issue a certificate of registration, upon payment of the registration fee, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements for registration under KRS 322A.040. Certificates of registration shall show the full name of the board. The issuance of a certificate of registration by the board shall be prima facie evidence that the person named thereon is entitled to all the rights and privileges of a registered geologist while the certificate of registration remains in force.

(2) Each registrant may, upon registration, obtain and use a seal or stamp of registration of the design authorized by the board, containing the registrant's name and number and the legend "Registered Professional Geologist."

(3) A replacement certificate of registration may be issued, subject to the administrative regulations of the board, to replace any certificate lost, destroyed or mutilated.

(4) No person shall affix his signature or stamp, seal, or certify any reports or other documents after the certificate of registration of the registrant named thereon has been suspended or revoked, unless the certificate of registration has been renewed or reissued.

(5) The board shall issue a certificate of certification as a geologist-in-training to an applicant who pays the registration fee and who, in the opinion of the board, has satisfactorily met the requirements of KRS 322A.045. Certificates of certification shall show the full name of the applicant and the full name of the board. The issuance of a certificate of certification by the board shall be prima facie evidence that the person named thereon has enrolled and is entitled to the rights and privileges of a geologist-in-training while the certificate remains in effect. The board shall determine the initial and expiration dates for the certificate.

322A.080 Exemptions from registration requirements.

The following persons shall be exempt from the requirements of registration under this chapter:

(1) Officers and employees of the United States, state or local governments while engaged in providing geological services for their employers;

(2) Persons engaged solely in geologic research or the instruction of geology;

(3) Professional engineers registered in this Commonwealth under KRS Chapter 322 who apply geology to the practice of engineering; or

(4) Persons not engaged in the public practice of geology.

322A.090 Prohibitions relating to practice of geology by person who is not a registered geologist

(1) With the exception of persons exempted under KRS 322A.080, it shall be unlawful for any person other than a registered geologist or a subordinate under the direction of a registered geologist to prepare any geologic reports or documents that are required by statute or administrative regulation.

(2) No person shall engage in the public practice of geology, or offer to publicly practice geology, in this Commonwealth, as defined in KRS 322A.010, or to use or otherwise assume, or advertise in any way any title or description tending to convey the impression that the person is a registered geologist, unless the person has been duly registered under the provisions of this chapter.

322A.100 Grounds for suspension or other action by board.

The board may suspend any registrant, refuse to renew or revoke the certificate of any registrant, reprimand any registrant, or place any registrant on probation, when the registrant is found guilty by the board of:

- (1) Fraud or deceit in obtaining a license;
- (2) Gross negligence, incompetence, or misconduct in the practice of geology;
- (3) Conviction by a court of law of a felony or a crime involving moral turpitude;
- (4) Violation of the code of ethics promulgated by the board; or
- (5) The commission of any unlawful act as set forth in KRS 322A.990.

322A.990 Penalties.

Any person who commits any of the following acts shall be guilty of a Class B misdemeanor:

- (1) Publicly practicing, or offering to publicly practice geology for others in this Commonwealth without being registered in accordance with the provisions of this chapter;
- (2) Presenting or attempting to use as his own the certificate of registration or the seal of another;
- (3) Giving any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration;
- (4) Falsely impersonating any other registrant of like or different name; or
- (5) Attempting to use an expired or revoked certificate of registration to practice at any time during a period the board has suspended or revoked the certificate of registration.

Kentucky Administrative Regulations

201 KAR 31:010. Fees.

RELATES TO: KRS 322A.050, 322A.060, 322A.070

STATUTORY AUTHORITY: KRS 322A.030(5), 322A.050, 322A.060(1), 322A.070(1), (3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322A.050 requires the board to establish the application and examination fees. KRS 322A.060 requires the board to establish renewal fees. KRS 322A.070 requires the board to establish the replacement fee. This administrative regulation sets forth the fees charged by the board to apply for registration, sit for the examination, to renew and reinstate a registration.

Section 1. Application Fee. The application fee for registration as a professional geologist shall be fifty (50) dollars.

Section 2. Examination Fees. The following fees shall be paid in connection with the licensure examinations required by the board:

(1) The fee for the fundamentals in geology (FG) portion of the examination shall be \$125.

(2) The fee for the practice of geology (PG) portion of the examination shall be \$150.

Section 3. Renewal Fees and Penalties. The following fees shall be paid in connection with licensure renewals and late renewal penalties:

(1) The renewal fee for registration shall be fifty (50) dollars;

(2) The late renewal fee, including penalty, for late renewal during the ninety (90) day grace period shall be seventy-five (75) dollars; and

(3) The reinstatement fee for registration renewal after the end of the ninety (90) day grace period shall be \$100.

Section 4. The fee for a duplicate of the original registration certificate shall be ten (10) dollars.

201 KAR 31:020. Compensation of board members.

RELATES TO: KRS 322A.020(7)

STATUTORY AUTHORITY: KRS 322A.020(7), 322A.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322A.020(7) requires the board to set the compensation for board members by administrative regulation. This administrative regulation sets the compensation of board members.

Section 1. Eligible members of the board shall receive compensation in the amount of \$100 per day for each day of actual board service and travel expenses to the extent authorized by 200 KAR Chapter 2.

201 KAR 31:030. Temporary permission to practice.

RELATES TO: KRS 322A.030(3), (4)

STATUTORY AUTHORITY: KRS 322A.030(5)

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation establishes the requirements for the granting of temporary permission to engage in the public practice of geology.

Section 1. (1) A temporary permit to engage in the public practice of geology may be granted to an applicant who has completed all of the requirements for registration except the examination and has applied for registration under the provisions of this chapter.

(2) The temporary permit shall allow the applicant to engage in the public practice of geology under the supervision of a person credentialed by the board as a registered geologist.

(3) The request for a temporary permit shall be accompanied by a letter from the supervising registered geologist acknowledging the responsibility for supervision and for the practice of the person holding the temporary permit.

(4) No registered geologist may serve as the supervisor of record for more than two (2) persons holding a temporary permit at any one (1) time.

(5) Supervision during the period of temporary permission to practice shall be a minimum of one (1) hour of individual, face-to-face supervision per week.

(6) The temporary permit shall be valid until the applicant for registration is issued or denied registration under the provisions of KRS Chapter 322A, but in no instance shall the temporary permit extend for more than sixty (60) days following the second examination offered after the applicant has applied for registration.

(7) No more than one (1) temporary permit shall be granted for any applicant for registration.

201 KAR 31:040. Examinations.

RELATES TO: KRS 322A.030(3), (4), 322A.040(1)(c)

STATUTORY AUTHORITY: KRS 322A.030(5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322A.040(1)(c) requires administrative regulations governing the examination of applicants for registration. This administrative regulation outlines requirements concerning examinations.

Section 1. General Requirements. (1) The board shall furnish to applicants pertinent instructions and establish the examination schedule which shall include: the place, the time, and the final date by which the board shall have received the applicant's materials.

(2) An applicant for examination shall submit a complete application and pay the required application and examination fees to the board in a timely manner. Once the application has been approved by the board, the applicant shall be scheduled to take the examination at the next regularly scheduled date.

(3) If an applicant fails to appear for the scheduled examination and presents a valid reason in writing for missing the examination, such as illness or death in the immediate family, the examination may be deferred until the next scheduled date without forfeiture of the examination fee.

(4) If an applicant fails to appear for or to complete the examination without a valid reason, the applicant shall forfeit all examination fees paid.

(5) If an applicant fails to appear for a second scheduled examination, without presenting a valid reason in writing such as illness or death in the immediate family, the application shall be terminated on the date of the examination, and the applicant shall be denied registration on the basis of failure of the examination by default. The applicant may not engage in the public practice of geology or use the title "registered geologist".

Section 2. Examination for Registration. (1) An applicant for licensure shall submit to an examination composed of the fundamentals in geology (FG) and the Practice of Geology (PG) developed and owned by the Association of State Boards of Geology (ASBOG). The applicant shall obtain a score equal to passage of seventy (70) percent of the test items on each portion of the examination.

(2) An applicant for registration who has been approved to sit for the examination and whose supervisory arrangement has been approved by the board shall be considered to be functioning under a temporary permit until all requirements for registration have been completed.

(3) If an applicant for registration fails one (1) or both portions of the examination, the applicant may, with payment of the required fee, be rescheduled to take the examination at its next regularly scheduled date. An applicant who fails one (1) portion of the examination shall be required to retake only the portion on which they failed to achieve a passing score.

(4) If the applicant is practicing under a temporary permit, the applicant may continue to practice under the supervision of a registered geologist until achieving a passing score on the examination or until sixty (60) days after the second examination offered after the applicant has been approved for registration.

201 KAR 31:050. Renewals.

RELATES TO: KRS 322A.060

STATUTORY AUTHORITY: KRS 322A.030(5), 322A.060

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322A.060 establishes conditions for the renewal, suspension, and revocation of certificates of registration. KRS 322A.030(5) authorizes the board to promulgate administrative regulations required to perform its duties. This administrative regulation establishes procedures for the renewal of certificates of registration.

Section 1. (1) A registered professional geologist shall annually, before October 1, pay to the board the renewal fee established by 201 KAR 31:010, Section 3(2).

(2) A certificate of registration that is not renewed before October 1 of each year shall expire as provided by KRS 322A.060(1).

Section 2. A ninety (90) day grace period shall be allowed beginning October 1, during which a registered professional geologist may:

(1) Continue to practice; and

(2) Renew his certificate of registration upon payment of the renewal fee as provided by 201 KAR 31:010, Section 3(2).

Section 3. (1) A certificate of registration that is not renewed before December 29 shall be suspended for failure to renew.

(2) Upon suspension, the registered professional geologist shall:

(a) Not be eligible to practice geology in the Commonwealth;

(b) Be notified at the last known address available to the board of his suspension; and

(c) Instructed to cease and desist practice.

Section 4. After the ninety (90) day grace period and before the end of two (2) years, a professional geologist suspended for failure to renew, may have his certificate of registration reinstated upon:

(1) Payment of the reinstatement fee as provided by 201 KAR 31:010, Section 3(3);

(2) Completion of the Application for Reinstatement; and

(3) Documentation of employment from the time of suspension until the present.

Section 5. Incorporation by Reference. (1) Application for Reinstatement, 8/01/01, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Registration for Professional Geologists, Division of Occupations and Professions, 700 Louisville Road, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

201 KAR 31:060. Code of professional conduct.

RELATES TO: KRS 322A.010, 322A.030(6), 322A.100

STATUTORY AUTHORITY: KRS 322A.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322A.030 requires the board to adopt by administrative regulation a code of professional conduct. This administrative regulation establishes a code of professional conduct, which includes a list of actions considered to be grounds for disciplinary action against a registrant.

Section 1. Public Trust and Welfare. (1) The public practice of geology requires professional ethical conduct and professional responsibility, as well as scientific knowledge on the part of the practitioner.

(2) Each registered geologist shall protect, to the fullest extent possible, the public health and welfare, and public and private property, in carrying out the public practice of geology.

Section 2. Integrity in Professional Practice. (1) Each registered geologist shall be guided by the highest standards of ethics, honesty, integrity, personal honor, fairness, and professional conduct when engaged in the public practice of geology.

(2) A registered geologist shall provide professional service only when qualified by training or experience in the technical areas involved. A registered geologist may practice under the supervision of another registered geologist for the purpose of obtaining training or experience in new technical areas.

(3) A registered geologist shall exercise reasonable care when rendering professional services and shall apply technical knowledge and skills ordinarily applied by practicing geologists. A registered geologist shall distinguish between fact and opinion in all estimates and evaluations provided, and set forth all assumptions.

(4) A registered geologist, when engaged in the public practice of geology, shall base his professional opinions upon empirical knowledge and commonly recognized geological principles.

(5) A registered geologist shall not issue a false statement or false information, or make sensational, exaggerated and unwarranted statements when engaged in the public practice of geology with the intent to mislead or deceive others.

(6) A registered geologist shall sign and seal only professional work, including, but not limited to, maps and reports for which the geologist has direct professional knowledge, and for which the geologist intends to be responsible for its accuracy and adequacy.

Section 3. Relationship of Professional Geologists to Employer or Client. (1) A registered geologist shall provide adequate and accurate representation of his credentials, qualifications and scope of responsibilities for all previous experience claimed when negotiating with prospective employers or clients.

(2) A registered geologist shall protect, to the fullest possible extent, the interest of his or her employer or client, and the confidentiality of information obtained from an employer or client, so far as is consistent with the law and the geologist's professional obligations and ethics.

(3) A registered geologist shall avoid conflict of interest with an employer or client and shall disclose the circumstances to the employer or client if a conflict is unavoidable. Specifically, a registered geologist shall make full disclosure to all parties of:

(a) Any transaction involving payments made to any person for the purpose of securing a contract, assignment, or engagement;

(b) Any monetary, financial or beneficial interest the professional geologist may have in any contract or entity providing goods or services, other than professional services, to a project or engagement;

(c) Any compensation or concurrent employment from more than one (1) employer or client on the same project; or

(d) Any owned or controlled mineral or other interest which may, either directly or indirectly, have a pertinent bearing on the geologist's employment to the employer or client.

(4) A registered geologist in the public practice of geology shall not accept compensation without furnishing services.

(5) A registered geologist shall give due notice of withdrawal of service from an employer or client except that the geologist may withdraw without due notice if:

(a) The geologist fails to receive adequate compensation, or has reasonable cause to believe that compensation for services performed will not be received;

(b) The geologist knows, or has reasonable cause to believe, that continued employment will result in a violation of KRS Chapter 322A, the accompanying administrative regulations promulgated thereunder, or otherwise be illegal;

(c) The geologist knows, or has reasonable cause to believe, that the employer or client is involved in illegal or fraudulent practices, or practices dangerous to the public health and welfare or property; or

(d) The geologist knows, or has reasonable cause to believe, that continued employment will result in sickness or injury to the geologist or the geologist's dependents.

Section 4. Relationship of Professional Geologists to Other Professionals Engaged in the Public Practice of Geology and Other Related Disciplines. (1) A registered geologist shall freely

give credit for work done by others to whom credit is due and shall refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due another.

(2) A geologist shall either engage, or advise an employer or client to engage, other experts or specialists if the client's interests are best served by this service.

(3) If a registered geologist has knowledge or reasonable cause to believe another person or geologist is in violation of any provision of KRS Chapter 322A or the administrative regulations promulgated thereunder, the geologist shall present information in writing to the board.

(4) A registered geologist shall provide adequate supervision and training to other geologists the registered geologist is supervising, and make them aware of this code of professional conduct.

Section 5. Grounds for Disciplinary Action. (1) A registered geologist shall not:

(a) Violate any provision of KRS Chapter 322A or the accompanying administrative regulations including this code of professional conduct;

(b) Issue a false statement or false information, or make a sensational, exaggerated, or unwarranted statement while engaged in the public practice of geology with the intent to mislead or deceive others;

(c) Defraud or deceive a client or employer while engaged in the practice of geology;

(d) Fail to comply with an order issued by the board;

(e) Fail to cooperate with the board by:

1. Unreasonably refusing to furnish a paper or document requested by the board;

2. Unreasonably refusing to furnish in writing a complete explanation covering a matter contained in a complaint against the registrant filed with the board;

3. Not appearing before the board at a time and place designated by the board during the investigation of a complaint or hearing; or

4. Not properly responding to a subpoena issued by the board.

(f) Aide or abet an unregistered person in the public practice of geology when registration is required;

(g) Fail to provide adequate supervision to persons for whom the registered geologist is professionally responsible;

(h) Sign, seal or stamp professional work not prepared under his direct professional control or supervision;

(i) 1. Be convicted of:

a. A felony; or

b. A misdemeanor related to the practice of geology;

2. Conviction shall include conviction based on:

a. A plea of nolo contendere or an Alford plea; or

b. The suspension or deferral of a sentence; or

(j) Engage in the practice of geology while declared mentally incompetent or insane by a court of law.